

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

IN RE: TWO GUNS CONSULTING § CASE NO. 20-20077
& CONSTRUCTION, LLC, §
Debtor. § CHAPTER 11

**APPLICATION OF DEBTOR FOR APPROVAL OF RETENTION OF STARK &
KNOLL AS SPECIAL COUNSEL ON CONTINGENT FEE AGREEMENT PURSUANT
TO 11 USC §§ 327(e) AND 328(a)**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

Represented parties should act through their attorney.

Two Guns Consulting & Construction, LLC. (“Debtor”) files this Application of Debtor for Approval of Retention of Stark & Knoll as Special Counsel On Contingent Fee Agreement Pursuant To 11 USC §§ 327(e) And 328(a), and would show the Court as follows:

1. On February 11, 2020, the Debtor filed a Voluntary Petition under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 et seq. The Debtor remains in possession of its property and is operating its business as a debtor-in-possession, pursuant to section 1107 and 1108 of the Bankruptcy Code. No committee, trustee or examiner has been appointed.
2. The Debtor asks that Stark & Knoll be approved as special counsel to continue its representation of the Debtor in connection with its claims against MarkWest Liberty Midstream & Resources, LLC, and Jefferson Gas Gathering Company, LLC in a suit styled *In re: Two Guns Consulting & Construction, LLC v. MarkWest Liberty Midstream & Resources, LLC and*

Jefferson Gas Gathering Company, LLC; Case Number 19CV00472; in the Court of Common Pleas, Jefferson County, Ohio.

3. Stark & Knoll has agreed to represent the Debtor on a contingency fee basis as set forth on the engagement letter, which is attached to the affidavit of Michael R. Fortney, attached hereto as Exhibit A.
4. Stark & Knoll has not requested a post-petition retainer from the Debtor at this time.
5. Stark & Knoll will file applications for approval of its fees and expenses.
6. To the best of the Debtor's knowledge and belief, Stark & Knoll holds or represents no interest adverse to the Debtor and has no connection of any kind or nature with the creditors or other parties to this case, or their respective attorneys, which is adverse to the interests of the Debtor on the matter for which it is engaged.

The Debtor requests this Court approve its retention and employment of Stark & Knoll, as Special Litigation Counsel for the Debtor pursuant to 11 USC §§ 327(e) And 328(a), on the terms set forth in this application and the engagement letter attached to the affidavit of Michael R. Fortney, and for all other relief to which it may be entitled.

Respectfully submitted,

/s/ Nathaniel Peter Holzer

Nathaniel Peter Holzer

Texas Bar No. 00793971

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**PROPOSED ATTORNEYS FOR DEBTOR
TWO GUNS CONSULTING &
CONSTRUCTION, LLC**

CERTIFICATE OF SERVICE

I certify that on February 20, 2020, a true and correct copy of the foregoing was served electronically to all parties registered with the Court's electronic noticing system and to all creditors shown on the attached list via U.S. First class mail.

/s/ Nathaniel Peter Holzer
Nathaniel Peter Holzer

ECF Service List

United States Trustee 606 N. Carancahua, Ste. 1107 Corpus Christi, TX 78401 USTPRegion07.CC.ECF@USDOJ.GOV	<u>Counsel for San Patricio County</u> Diane Sanders Linebarger, Goggin, Blair & Sampson P.O. Box 17428 Austin, TX 78760 austin.bankruptcy@publicans.com	<u>Counsel for Ligonier Construction Company, Inc.</u> Patrick H. Autry Branscomb PC 8023 Vantage Drive, Suite 560 San Antonio, TX 78230 pautry@branscomblaw.com bsmith@branscomblaw.com

Served via U.S. first class mail, postage prepaid:

Internal Revenue Service
Centralized Insolvency Solutions
P.O. Box 7346
Philadelphia, PA. 19101-7346

Texas Workforce Commission
Bankruptcy Unit, Room 556
101 E. 15th Street
Austin, TX. 78778-0001

Alex E. Paris Equip & Sales Co.
1595 Smith Township State Rd.
Atlasburg, PA 15004

Atlas Trenchless, LLC
1351 Broadway Street West
Rockville, MN 56369

Badger Daylight Corp.
75 Remittance Dr., Suite 3185
Chicago, IL 60675-3185

Belmont Aggregates, Inc.
PO Box 349
Bridgeport, CT 43912

Chase Card Services
PO Box 94014
Palatine, IL 60094-4014

Darby Equipment Company
2940 N. Toledo Avenue
Tulsa, OK 74115

DBI, Inc.
15440 W. 109th St.
Lenexa, KS 66219

Horizon Supply Company
311 White Street
New Castle, PA 16101

Leslie Equipment Company
Attn: Tammy
105 Tennis Center Drive
Marietta, GA 45750

Ligonier Construction Co.
PO Box 277
Laughlintown, PA 15655

Longhorn Mulching Co.
7003 E. State Highway 103
Lufkin, TX 75901

Luby Equipment
2300 Cassens Drive
Fenton, MO 63026

Magnum Machine Works, LLC
7480 NW Caldwell Road
Kidder, MO 64649

McKinney Drilling Company
2434 Etring Avenue
Corpus Christi, TX 78415

Miley Fencing
54500 Sarahsville Road
Senecaville, OH 43780

Moorhead Brothers, Inc.
PO Box 124
Blacksburg, SC 29702

Ohio CAT
Box 774439
4439 Solutions Center
Chicago, IL 60677-4004

Southeastern Equipment Co., Inc.
PO Box 536
Cambridge, OH 43725

United Rentals (North America), Inc.
PO Box 840514
Dallas, TX 75284-0514

YAK MAT, LLC
PO Box 95434
Grapevine, TX 76099-9734

Jim Clancy
JD Egbert
Branscomb Law
802 N. Carancahua, Ste. 1900
Corpus Christi, TX 78401

Prosperity Bank
Attn: Bill Hailey
14201 Northwest Blvd.
Corpus Christi, TX 78410

Komatsu Financial
PO Box 99303
Chicago, IL 94583